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Democratic Services
Swanspool House
Wellingborough
Northamptonshire
NN8 1BP

Meeting: Licensing Act 2003 Sub-Committee
Date: Tuesday 29 June 2021
Time: 2.00pm
Venue: Committee Room, Swanspool House, Wellingborough, Northants, NN8 1BP.

To:
Councillors Ekins (Chair), Bone (Vice-Chair) and Hallam

Officers: Matt O'Donnell, Team Leader Health Protection and Legal representative.

Agenda			
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01	Apologies for non-attendance		-
02	Members' Declarations of Interests		-
03	Notification of requests to address the meeting		-
Items requiring a decision			
04	Application to vary a premises licence for The Volunteer, 69 Midland Road, Wellingborough	Matt O'Donnell	3 - 36
Items to note			
05	None notified		
Exempt Items			
06	None Notified		
07	Close of Meeting		
	Adele Wylie, Monitoring Officer North Northamptonshire Council  Proper Officer 18 June 2021		

This agenda has been published by Democratic Services.

For further information please contact:

Carol Mundy, Senior Democratic Services Officer (Committees/Members)

Carol.Mundy@northnorthants.gov.uk – 01933 231 521

Meetings at the council offices

Due to the Covid-19 pandemic seating in the committee room will be strictly limited. If you wish to attend the meeting please contact Carol Mundy as detailed above.

Exempt or confidential business:

Where there is a need for the committee to discuss exempt or confidential business, the press and public will be excluded from those parts of the meeting only and will have to vacate the room for the duration of that business.

Public Participation

For further information about this item please contact Amanda Wilcox (Licensing Manager) on 01933 231 954 awilcox@wellingborough.gov.uk or Philippa Bright (Licensing Officer) on 01933 231 972 pbright@wellingborough.gov.uk

Members' Declarations of Interest

Members are reminded of their duty to ensure they abide by the approved Member Code of Conduct whilst undertaking their role as a councillor. Where a matter arises at a meeting which **relates to** a Disclosable Pecuniary Interest, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation.

Where a matter arises at a meeting which **relates to** other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

Where a matter arises at a meeting which **relates to** your own financial interest (and is not a Disclosable Pecuniary Interest) or **relates to** a financial interest of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

Members are reminded that they should continue to adhere to the council's approved rules and protocols during the conduct of meetings. These are contained in the council's approved Constitution.

If Members have any queries as to whether a Declaration of Interest should be made please contact the monitoring officer at – monitoringofficer@northnorthants.gov.uk

Press and Media Enquiries

Any press or media enquiries should be directed through the council's Communications Team to NNU-Comms-Team@northnorthants.gov.uk

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LICENSING ACT 2003 SUB-COMMITTEE 29 June 2021

Report Title	Application to vary a premises licence
Report Author	Amanda Wilcox Principal Environmental Health Manager, amanda.wilcox@northnorthants.gov.uk

List of Appendices

Appendix A – Application Form

Appendix B – Representation

Appendix C – Location Map

Appendix D – Current Licence

1. Purpose of Report

- 1.1. To obtain the Committee's decision in respect of an application to vary the Premises Licence for Volunteer, 69 Midland Road, Wellingborough, Northamptonshire, NN8 1LU.

2. Executive Summary

- 2.1 The application to vary the Premises Licence, has attracted one representation against the grant of the licence. The report sets out the background to the issue and invites the Sub-Committee to determine the application.

3. Recommendations

- 3.1 The Sub-Committee is recommended to consider whether to:
- Grant the application as requested
 - Grant the application subject to such conditions that are necessary to promote the Licensing Objectives
 - Refuse the application wholly or in part where it is necessary in order to promote the Licensing Objectives

4. Report Background

- 4.1 An application has been submitted to vary a Premises Licence under the Licensing Act 2003, for Volunteer, 69 Midland Road, Wellingborough.
- 4.2 The application is to vary the hours permitted for the sale of alcohol from;
- Monday – Saturday 08.00am – 23.00pm
 - Sunday – 10.00am – 22.30pm
- and extend the hours to;
- Monday – Thursday 8:00am - 0:00am
 - Friday – Saturday 8:00am - 2:00am
 - Sunday 10:00am - 00:00am
 - New Years Eve until 4:00am
- 4.3 The application also seeks to add recorded music onto the licence :
- Monday – Thursday 8:00am - 0:00am
 - Friday – Saturday 8:00am - 2:00am
 - Sunday 10:00am - 00:00am
 - New Years Eve Until 4:00am
- 4.4 The hours that the premises are open to the public are to be extended from:
- Monday to Saturday 08:00 - 23:00
 - Sunday 10:00 - 22:30
- and altered to;
- Monday – Thursday 8:00am - 0:00am
 - Friday – Saturday 8:00am - 2:00am
 - Sunday 10:00am - 00:00am
 - New Years Eve Until 4:00am
- 4.5 The full details are included within the application included within Appendix A.
- 4.6 Following consultation, a representation was received from one Interested Party. This is included within Appendix B. The representation objects to the granting of the licence on the grounds that the licensing objectives, as prescribed by Section 4(2) of the Act, are not likely to be met. The relevant licensing objectives are;
- the prevention of crime and disorder
 - the prevention of public nuisance
- 4.7 No representations were received from the Responsible Authorities.
- 4.8 A map is included within Appendix C showing the location of the premises.

5. Issues and Choices

- 5.1 The interested party, Wellingborough Town Council, raised concerns over the sale of alcohol until 2am on a Friday and Saturday, and 4am on New Year's Eve, due to the close proximity of neighbouring residents and the potential for antisocial behaviour.

- 5.2 The town council requested clarification from the Licensing Team on the proposed mitigation measures for neighbouring residents and indicated that if suitable mitigations were in place to address their concerns, they would be willing for the application to be approved. The applicant had not however detailed any steps they would take to promote the licensing objectives within the application to vary the licence. The current licence also does not detail mitigation measures. The current licence is included within Appendix D.
- 5.3 The Police have liaised with the applicant and have reached agreement that the below should be added to the premises licence as conditions;
- After 23:00 hours admittance to the premises by members of the public will only be permitted by the use of a door entry system controlled by the Premises Licence holder/Designated Premises Supervisor.
 - A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
- 5.4 Members should be mindful of chapter 9 of the guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, which provides guidance on the powers of the licensing authority on the determination of applications.
- 5.5 Chapter 10 of the Secretary of State's Guidance, provides advice and recommendations in respect of conditions which may be imposed on a premises license where they are appropriate for the promotion of one or more of the four licensing objectives. Conditions may not be imposed for any other reason.
- 5.6 Members should also take into consideration the councils Statement of Licensing Policy and relevant sections with respect to this application are listed below. The below list is not exhaustive and the policy should be considered fully prior to making decisions with respect to applications:-

11.1 Consideration will always be given to the individual merits of an application in line with the four licensing objectives and any relevant representations. This Authority recognises that longer licensing hours with regard to the sale of alcohol need to be managed effectively to ensure that the concentrations of customers leaving premises simultaneously are avoided. This is necessary to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport, which may lead to disorder and disturbance.

11.2 However, when issuing a licence with hours beyond 23.00 hours, higher standards may be expected to be included in Operating Schedules to address the Licensing Objectives especially premises which are situated near to residential properties.

11.3 In considering licence applications, where relevant representations are made, this Licensing Authority will consider the adequacy of measures proposed to deal with the potential for public nuisance and/or public disorder having regard to all the circumstances of the case.

11.4 Where relevant representations are made, this authority will demand stricter conditions with regard to noise control in areas that have denser residential accommodation, but this will not limit opening hours without regard for the individual merits of any application. This authority will consider each application and work with the parties concerned to ensure that adequate noise control measures are in place.

- 5.7 Whilst having regard to the information provided by the applicant, the representations and also the Councils Statement of Licensing Policy, the Sub-Committee's decision must be made with a view to promoting one or more of the four licensing objectives, namely:
- (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.

6. Implications (including financial implications)

6.1 Resources and Financial

- 6.1.1 There are no financial implications to the authority in relation to this report.

6.2 Legal

- 6.2.1 The Licensing Act 2003 sets out how an application for a Premises Licence should be dealt with where valid representations have been submitted. The Sub-Committee have to decide the outcome of the application taking into account the Licensing Objectives.

- 6.2.2 In accordance with the provisions of the Act, if a Licensing Authority rejects in whole or in part, an application to grant a Premises Licence the applicant may appeal against the decision, to a Magistrates' court within 21 days of being notified of the decision. Similarly, where a person who made relevant representations in relation to the application contends that the licence ought not to have been granted or that alternative or additional conditions should have been imposed on the licence, they may appeal against the decision, to a Magistrates' court within 21 days of being notified of the decision.

6.3 Risk

- 6.3.1 None

6.4 Consultation

- 6.4.1 As prescribed by the Licensing Act 2003, the application has been out for consultation to statutory consultees (Responsible Authorities) and any other persons for 28 days in the form of a notice displayed on the premises, and a notice published in a local newspaper.

- 6.4.2 Following this consultation one representation was received.

6.5 **Consideration by Scrutiny**

6.5.1 None

6.6 **Climate Impact**

6.6.1 None

6.7 **Community Impact**

6.7.1 None

7. **Background Papers**

7.1 Section 182 Licensing Act 2003 Guidance - it is a statutory obligation of the Sub-Committee to take into account the Government's Guidance to the Licensing Act 2003 before reaching a decision.

7.2 Statement of Licensing Policy - the Council will have regard to the policy when making a decision on applications made under the Act

* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

- Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

- Yes No

Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK?

- Yes No

Business name

If your business is registered, use its registered name.

VAT number

 -

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

2,450

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VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

Public House

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes
- No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes
- No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes
- No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes
- No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the playing of recorded music take place indoors or outdoors or both? Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

Indoors Outdoors Both

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Music will be played via an amp through the speaker system currently installed around the pub.

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve - 04:00am

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve - 04:00am

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve - 04:00am

Continued from previous page...

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

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NOTES ON REGULATED ENTERTAINMENT

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

100.00

DECLARATION

I/WE UNDERSTAND THAT IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Ticking this box indicates you have read and understood the above declaration

Continued from previous page...

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/wellingborough/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)

From: [REDACTED] <Clerk@wellingboroughtowncouncil.gov.uk>
Sent: 28 May 2021 16:00
To: ENC Licensing Unit <LicensingUnit.ENC@northnorthants.gov.uk>
Subject: Licensing comments

Please see below the comments from the council on the below licensing applications

[REDACTED]

**21/00466/LAPVAR, 69 Midland Road Wellingborough, Northamptonshire NN8 1LU,
Extend hours for Sale of Alcohol : Monday – Thursday 8:00-0:00 Friday – Saturday
8:00-2:00 Sunday 10:00-00:00 New Years Eve Until 4:00 Off and On Sales Add
Recorded Music : Monday – Thursday 8:00-0:00 Friday – Saturday 8:00-2:00 Sunday
10:00-00:00 New Years Eve Until 4:00**

The committee expressed concerns of the sale of alcohol until 2am on a Friday and Saturday, and 4am on New Year's Eve. This concern is due to the close proximity of neighbouring residents and antisocial behavior. The committee seeks clarification from Licensing Team at North Northamptonshire Council on the mitigations for neighbouring residents, should this application be recommended for approval. If these mitigations have been addressed the council would be willing for the application to be approved.

Kind regards

[REDACTED]
Town Clerk
Wellingborough Town Council
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Part A

Premises Licence

Borough Council of Wellingborough,
 Swanspool House, Doddington Road, Wellingborough, NN8 1BP
 Tel 01933 231966
www.wellingborough.gov.uk

Premises Licence Number	14/03943/LAPNEW
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description:

Volunteer
 69 Midland Road
 Wellingborough
 Northamptonshire
 NN8 1LU

Telephone Number: 01933 222288

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities
Sale of Alcohol
Alcohol consumed off and on premises

Sunday	10:00 - 22:30
Monday to Saturday	08:00 - 23:00

The opening hours of the premises

Monday to Saturday	08:00 - 23:00
Sunday	10:00 - 22:30

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

[REDACTED]

[REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name, address, and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

[REDACTED]

[REDACTED]

[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence Number: [REDACTED]

Licensing Authority: East Northamptonshire Council

If this premises licence authorises the supply of alcohol, the following conditions must be complied with:

1. No supply of alcohol may be made under the premises licence—
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
3. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.
5. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
6. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

7. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

8. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

If this premises licence authorises the exhibition of films, the admission of children to the exhibition of any film must be restricted in accordance with this condition

9. Where the film classification body is specified in the licence, unless section b) below applies, admission of children must be restricted in accordance with any recommendation made by that body.

Where—

- (a) the film classification body is not specified in the licence, or
- (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

If this premises licence requires the use of door supervisors.

10. Where the premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of that Act.

Note: This does not apply to premises with premises licences authorising plays or films, premises exclusively used by a club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence .

Explanatory Notes and Definitions for Mandatory Condition 8.

Definitions

“duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

“permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

“relevant person” means, in relation to premises in respect of which there is in force a premises licence—

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

“valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price calculated would not be a whole number of pennies, it shall be taken to be the price calculated rounded **up** to the nearest penny.

NOTE: This note is provided to give assistance in calculating prices, it is not a legal document. If you are unsure on any issue related to permitted prices, seek advice. Further information can be found about mandatory conditions can be found at <https://www.gov.uk/alcohol-licensing#mandatory-licensing-conditions>.

Annex 2 – Conditions consistent with the Operating Schedule

Embedded Conditions Apply (The licence is granted on the condition that the restrictions contained within the enactments specified under Licensing Act 2003 Schedule 8 (6) are adhered to).

Existing licence involves the sale of alcohol under normal permitted hours. I intend to carry on trading with no changes to my existing business.

Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans

Part B

Premises Licence Summary

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Swanspool House, Doddington Road, Wellingborough, NN8 1BP
Tel 01933 231966
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The opening hours of the premises

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Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the premises

Part 2

Name, (registered) address of holder of premises licence

[REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

[REDACTED]

State whether access to the premises by children is restricted or prohibited

No

Signed:

A 

Date: 15 September 2020

Name: Mrs Amanda Wilcox
Position: Principal Environmental Health Manager
For and on behalf of the Licensing Authority

This premises licence **14/03943/LAPNEW**
has been issued by Borough Council of Wellingborough,
Swanspool House, Doddington Road, Wellingborough, NN8 1BP
Tel 01933 231966
www.wellingborough.gov.uk

Our Reference No: 20/01168/LAVDPS